

REMARKS

*Allowable Subject Matter*

Claims 11 through 20 are allowed.

The Applicants appreciate the Examiner's diligence and allowance of claims 11 through 20 based on the combinations including the allowable subject matter indicated by the Examiner.

*Objected Claims*

Claims 5 through 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The Examiner indicates in the Office Action of 8-26-04 that the allowable subject matter in claim 6 is:

“Forming a second contact pad in the second contact pad mask layer in contact with the channel.”

Claim 6 with all the limitations required to provide the necessary antecedent bases for the above Examiner's limitation more fully contains the allowable subject matter:

“forming a second dielectric layer over the semiconductor substrate;  
forming a second channel in the second dielectric layer in contact with the semiconductor device;  
forming a second contact pad mask layer;  
forming a second contact pad in the second contact pad mask layer in contact with the channel...” [underlining for Examiner's limitation]

The base claim for claim 6 is claim 1. Claim 1 has been rewritten with the above allowable subject matter from claim 6 and is now submitted to be allowable as containing allowable subject matter.

With respect to claim 5, this dependent claim depends from now allowable claim 1 and is believed to be allowable since it contains all the limitations set forth in the independent claim from which it depends and claims unobvious combinations thereof.

With respect to claims 7-10, these dependent claims respectively depend from dependent claim 6, which depends from independent claim 1, and are believed to be allowable since they contain all the limitations set forth in the allowable independent claim from which they depend and claim additional unobvious combinations thereof.

*Claim Rejections - 35 USC §102*

Claims 1-4 are rejected under 35 USC §102(b) as being unpatentable by Leedy (USPN 5,654,127, hereinafter "Leedy").

With respect to claim 1, it is respectfully submitted that the incorporation of allowable subject matter into claim 1 now makes this claim allowable.

With respect to claims 2-4, these dependent claims depend from independent claim 1 and are believed to be allowable since they contain all the limitations set forth in the independent claim from which they depend and claim additional unobvious combinations thereof.

Withdrawal of the rejections is respectfully requested.

*Conclusion*

In view of the above, it is submitted that the claims are in condition for allowance and reconsideration of the rejections is respectfully requested. Allowance of claims 1-20 at an early date is solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including any extension of time fees, to Deposit Account No. 01-0365 and please credit any excess fees to such deposit account.

Respectfully submitted,



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